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11 *Attorneys for Relief Defendants*
12 *Kim C. Tucker and Park 269 LLC*

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15 **UNITED STATES DISTRICT COURT**

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17 **DISTRICT OF NEVADA**

18 FEDERAL TRADE COMMISSION,

19 Case No. : 2:12-cv-00536-GMN-VCF

20 Plaintiff,

21 vs.

22
23 **RELIEF DEFENDANTS' MOTION TO**
24 **WITHDRAW ATTORNEYS**

25 AMG SERVICES, INC., et al.,

26 Defendants, and

27 PARK 269 LLC, a Kansas Limited Liability
28 Company; and KIM C. TUCKER, in her
individual and corporate capacity,

29 Relief Defendants.

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31 Pursuant to LR IA 11-6(b), Relief Defendants Kim Tucker and Park 269, LLC, and
32 attorneys Pete Smith and Linda Mcfee ("the Withdrawing Lawyers") respectfully move the Court for
33 leave to withdraw as attorneys in this case, stating as follows:

1 1. On September 30, 2016, the Court entered a final judgment in this case. (ECF No.
2 1057.) The Withdrawing Lawyers have prepared and submitted pleadings responsive to all post-
3 judgment filings of the FTC. The Withdrawing Lawyers also have engaged on behalf of the Relief
4 Defendants in negotiations attempting to resolve the pending Motion for Order Directing Turnover of
5 Assets (ECF No. 1059, “Turnover Motion”), the motion for Appointment of a Receiver (ECF No.
6 1064 (filed under seal), “Receiver Motion”), and the oppositions filed thereto. Those negotiations
7 will conclude, successfully or otherwise, prior to November 28, 2016. The Relief Defendants’
8 deadline for filing a notice of appeal is November 29, 2016.

9 2. The Withdrawing Lawyers have confirmed that the Relief Defendants have other legal
10 counsel who will enter an appearance in this case and file a notice of appeal on the November 29,
11 2016 deadline. The Relief Defendants and new counsel will prosecute that appeal.

12 3. With the entry of judgment and with new counsel entering an appearance to advance
13 the appeal, Relief Defendants’ attorneys Pete Smith and Linda Mcfee will cease representing the
14 Relief Defendants in this case.

15 4. Notice of the withdrawal of attorneys Pete Smith and Linda Mcfee has been provided
16 to the Relief Defendants, and, as stated in the certificate of service, to opposing counsel. The Relief
17 Defendants consent to the withdrawal.

18 5. Because the Court has entered final judgment (ECF No. 1057), and because new
19 attorneys are assuming responsibility for any further proceedings in this Court, the withdrawal of
20 attorneys Pete Smith and Linda Mcfee shall not cause any delay of pretrial proceedings, discovery,
21 the trial or any hearing in this case.

22 6. WHEREFORE, the Relief Defendants and Pete Smith and Linda Mcfee respectfully
23 move the Court for leave to withdraw.

1 Dated: November 28, 2016

Respectfully submitted,

3 /s/ Linda Mcfee

4 Linda C. McFee, Esq.

5 R. Pete Smith, Esq.

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*Attorneys for Relief Defendants
Kim C. Tucker and Park 269 LLC*

IT IS SO ORDERED



UNITED STATES MAGISTRATE JUDGE

DATED: December 1, 2016